

NUMBER: 650

SUBJECT: STUDENT PRIVACY – RECORDS

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650.1 – PURPOSE

Bridgerland Technology College (BTECH) is committed to managing student records in a manner consistent with Government Records Access and Management Act (GRAMA), UCA 63-2(2) (1992), Family Educational Rights and Privacy Act (FERPA) of 1974, and other state/federal laws and policies.

650.2 – DEFINITIONS

650.2.1 – GOVERNMENT RECORDS ACCESS AND MANAGEMENT ACT (GRAMA)

The Government Records Access and Management Act (GRAMA), UCA 63-2(2) (1992), is a comprehensive law dealing with management of government records, with who is entitled to access those records, and with the exercise and enforcement of access rights. It is an attempt to balance the public's Constitutional right of access to information concerning the conduct of the public's business, the individual constitutional right of privacy in relation to personal data gathered by government entities, and the public policy interest in allowing a government to restrict access to certain records for the public good.

650.2.2 – FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

Student records are subject to the Family Educational Rights and Privacy Act (FERPA) of 1974, a federal law with the purpose of providing and ensuring that: (1) students will have access to inspect and review their educational records, and (2) protects the rights of a student to privacy by limiting access to the educational record without express written consent. FERPA prohibits the College from releasing certain personally identifiable information from a student's record to a third party (e.g. parent, spouse, etc.) without the student's explicit consent.

Additionally, FERPA affords students certain rights with respect to their educational records. These rights include: (1) the right to inspect and review information contained in their educational records; (2) the right to request to amend their educational records; (3) the right to consent to disclosure, with certain exceptions specified in the Act, of personally identifiable information from educational records; and (4) the right to file a complaint with the U.S. Department of Education concerning alleged failures by the College to comply with the requirements of FERPA. Notice regarding these rights will be provided annually to all enrolled students.

650.3 – POLICY

The College is committed to assuring that all employees who have access to student records including, but not limited to, electronic, handwritten, taped, and film comply with FERPA. All individuals dealing with student records will be made aware of the requirements of FERPA and to the confidential nature of the documents they are working with. An educational record is any record: (1) directly related to a student, and (2) maintained by the College or by an agent.

In addition, the intentional disclosure of student records to any unauthorized person(s) could subject the employee to criminal and civil penalties imposed by law and could also result in disciplinary action, including termination of employment, regardless of whether criminal or civil penalties are imposed.